



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
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August 17, 2009

Via Facsimile

Hon. John G. Koeltl
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Room 1030
New York, New York 10007

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AUG 17 2009

Re: **SEC v. Jon-Paul Rorech, et al;**
No. 09 Civ. 4329 (JGK)

Dear Judge Koeltl:

We represent the Plaintiff, Securities and Exchange Commission, in this action.

Late last Thursday, Defendant Rorech served a Motion for Judgment on the Pleadings pursuant to Fed. R. Civ. P. 12(c). My colleague, Richard Primoff, and I are out of the office until after Labor Day beginning August 27th, and from then through September 18, are committed to long-standing pre-trial schedules in two other pending matters. For these reasons, I asked counsel for Rorech, Mr. Strassberg, to consent to an extension of the Commission's time to respond to his client's motion, to September 25. Mr. Strassberg refused our request, and insisted that the Commission's papers be served by September 18, on the ground that such a deadline would afford him his preferred time of two weeks to serve reply papers, before he was scheduled to leave town. Mr. Strassberg declined our invitation to take the time he needed on his return for his reply papers.

We regret the necessity of requesting the Court's intervention on this matter, but absent the relief requested, we respectfully submit that the Commission's ability to properly respond to Defendant Rorech's motion will be prejudiced.

Respectfully submitted,

Nancy A. Brown
Nancy A. Brown
Senior Trial Counsel

1. Time to respond
extended to 9/25/09.

2. Time to reply
extended to 10/23/09.

50 indirect.

8/17/09 *JGK/Koeltl*
U.S.D.S.

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cc (via email):

Richard Strassberg, Esq.

Counsel for Defendant Jon-Paul Rorech

Lawrence Iason, Esq.

Counsel for Defendant Renato Negrin